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प्रसाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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NEW DELHI, SATURDAY, JULY 30, 1966/SRAVANA 8, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE

ORDER

New Delhi the 30th July 1966

S O. 2314.—In exercise of the powers conferred by section 5 of the Essential Commodities Act 1955 (10 of 1955) the Central Government hereby directs—

- (a) that the powers conferred on it by sub-section (1) of section 3 of the said Act to make orders to provide for the matters specified in clause (c) of sub-section (2) thereof shall in relation to all commodities other than foodstuffs and fertilisers (whether inorganic organic or mixed) be exercisable also by a State Government or in relation to a Union territory by the Administrator thereof subject to the following conditions namely—
 - (i) that where the price at which any essential commodity may be bought or sold is controlled by or under any other law for the time being in force, no order shall be made in pursuance of the powers hereby delegated
 - (ii) that where the price is not so controlled, no order shall be made in pursuance of the powers hereby delegated in respect of any essential commodity
 - (a) if the whole-sale prices or retail prices or both of such commodity have been fixed by the manufacturers or producers thereof with the approval of the Central Government except on the basis of such prices
 - (b) in any other case except with the prior concurrence of the Central Government
 - (iii) that no order shall be issued in pursuance of the powers hereby delegated if it is inconsistent with any order issued by the Central Government under the said Act

- (b) that all previous orders issued under section 5 of the Essential Commodities Act in so far as they relate to delegation of powers under the provisions of section 3(1) and (2)(c) referred to in clause (a) above, except orders under the said section 5 relating to fertilisers and the order (relating to foodstuffs) of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No GSR 906 dated the 8th June 1966 shall stand rescinded

Provided that notwithstanding such rescission any order (hereinafter referred to as the said order) made by a State Government or an administrator or any officer subordinate to that State Government or administrator in pursuance of the orders so rescinded and in force immediately before the commencement of this Order shall be deemed to have been made in pursuance of this Order and under the relevant provisions of section 3 of the said Act and shall continue in force according to its tenor, and accordingly any action taken or thing done (including any appointment made, licence or permit granted or direction issued) under the said order and in force immediately before such commencement shall continue in force according to its tenor until and unless it is superseded by any action taken or anything done under any other order made in pursuance of this Order and under the relevant provisions of section 3 of the said Act

[No 26(17)-Com Genl/66]

K B LALL, Secy